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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/774,462	01/31/2001	Bernhard Ifflander	01 P 7441 US	3441

31625 7590 03/17/2006

BAKER BOTTS L.L.P.
PATENT DEPARTMENT
98 SAN JACINTO BLVD., SUITE 1500
AUSTIN, TX 78701-4039

EXAMINER

CHAMPAGNE, DONALD

ART UNIT	PAPER NUMBER
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3622

DATE MAILED: 03/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/774,462

Applicant(s)

IFFLANDER ET AL.

Examiner

Donald L. Champagne

Art Unit

3622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,5-16,19-30,32-41,43-46 and 48-57 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,5-16,19-29,56 and 57 is/are allowed.
- 6) ☒ Claim(s) 30,32-41,43-46 and 48-55 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed with an amendment on 21 December 2005 have been fully considered but they are not wholly persuasive. The arguments are addressed by the following final rejection and the indication of allowable matter at para. 13-16.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
3. Claims 30, 32-41, 43-46 and 48-55 are rejected under 35 U.S.C. 103(a) as obvious over Conhaim in view of the Edwards, Inc., website (hereafter *Edwardsinc.com*) and *Thomasregister.com*.
4. Conhaim teaches (independent claims 30, 36, 40, 43, 46 and 52) an on-line method and system for marketing services to a prospective or actual purchaser of industrial equipment, the method comprising: providing information relating to an on-line marketplace for industrial equipment to the purchaser over the network (p. 1/8, middle); accepting and storing purchaser registration information in a database (p. 3/8, third para.); accepting input from a registered purchaser identifying its interest in receiving information on services, and transmitting to the purchaser information relating to the at least one service (p. 2-3/8).
5. Conhaim does not teach displaying over the network an identification of relocation services relating to industrial equipment. *Edwardsinc.com* teaches displaying over the network an identification of relocation services relating to industrial equipment. Because Conhaim teaches a comprehensive on-line marketplace for the purchase of industrial products and services (middle of p. 1/8), and because most industrial equipment needs to be moved after purchase, said moving reading on relocation relating to the purchase of industrial

Art Unit: 3622

equipment, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to add to the teachings of *Edwardsinc.com* to those of Conhaim.

6. Conhaim does not teach identifying at least two relocation services provided by at least two different service providers. Thomasregister.com teaches that there are 156,914 “companies” in the Thomas Register (center of sheet 4/7), which reads on 156,914 different providers. Because *Thomasregister.com* is the website taught by Conhaim, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to add the teachings of *Thomasregister.com* to those of Conhaim and *Edwardsinc.com*. Furthermore, because it would have been obvious to add relocation services providers to Thomas Register (para. 5 above), it would also have been obvious to permit at least two of said 156,914 different providers to be relocation services providers, and to identify said at least two providers when a customer asks for relocation service providers.
7. Conhaim does not teach accepting from the purchaser information relating to the nature of the equipment as to/for which service information is to be received, and transmitting said information to the at least one service provider. Thomasregister.com teaches an email connection for accepting from the purchaser information relating to the nature of the equipment for which service information is to be received, and transmitting said information to the at least one service provider (Item marked “A” on sheet 4/7).
8. Edwardsinc.com teaches a comprehensive service, which reads on coordinating relocation services for the industrial equipment. It would be obvious to do at least parts of this service “over the network” because network functions (telephony, email, fax) are in common business use.
9. For independent claims 30 and 46, a “purchaser service request record” is interpreted as the purchase spec. that is necessarily input by the purchaser.
10. Thomasregister.com also teaches (independent claims 36, 43 and 52, and dependent claim 44) a user ID and password (Item marked “C” on sheet 6/7), which reads on assigning/transmitting a purchaser identification/registration code to the registered purchaser.
11. Conhaim also teaches claims 32 and 48 at the citations given above.

Art Unit: 3622

12. Thomasregister.com also teaches (claims 35, 37-39, 41, 45, 51 and 53-55) the purchaser requesting an offer (the "Order Online" Item marked "B" on sheet 5/7), the price of which reads on "information relating to the marketplace comprising data reflecting actual transactions in the marketplace".

Indication of Allowable Subject Matter

13. Claims 1, 5-16, 19-29, 56 and 57 cannot be rejected by the prior art made of record.
14. The following is an examiner's statement of reasons for the indication of allowable subject matter: the closest prior art, identified in para. 3 above, does not teach or suggest simultaneously displaying information relating to industrial equipment and relocation services relating to the relocation of said industrial equipment.
15. This practice of simultaneously offering two or more related products, which is called "cross-selling", is common with consumer products (e.g., "Would you like fries with that?"). However, the practices of consumer and industrial sales tend to be separate. In a preliminary search, the examiner was not able to find the practice of cross-selling taught or suggested in the prior art of industrial sales.
16. On 6 March 2006, the examiner sent a fax to Andreas Grubert, Esq., offering to complete the search to allow claims 1-29, 56 and 57 if applicant would authorize cancellation of the remaining claims. Applicant provided no such authorization.

Conclusion

17. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
18. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

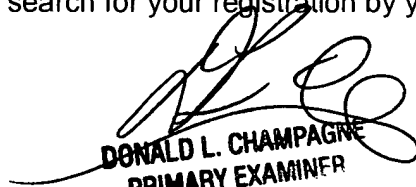
Art Unit: 3622

however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donald L Champagne whose telephone number is 571-272-6717. The examiner can normally be reached from 6:30 AM to 5 PM ET, Monday to Thursday. The examiner can also be contacted by e-mail at donald.champagne@uspto.gov, and *informal* fax communications (i.e., communications not to be made of record) may be sent directly to the examiner at 571-273-6717.
20. The examiner's supervisor, Eric Stamber can be reached on 571-272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
21. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).
22. **AFTER FINAL PRACTICE** – Consistent with MPEP § 706.07(f) and 713.09, prosecution generally ends with the final rejection. Examiner will grant an interview after final only when applicant presents compelling evidence that “disposal or clarification for appeal may be accomplished with only nominal further consideration” (MPEP § 713.09). The burden is on applicant to demonstrate this requirement, preferably in no more than 25 words. Amendments are entered after final only when the amendments will clearly simplify issues, or put the case into condition for allowance, clearly and without additional search or more than nominal consideration.
23. Applicant may have after final arguments considered and amendments entered by filing an RCE.
24. **ABANDONMENT** – If examiner cannot by telephone verify applicant's intent to continue prosecution, the application is subject to abandonment six months after mailing of the last

Art Unit: 3622

Office action. The agent, attorney or applicant point of contact is responsible for assuring that the Office has their telephone number. Agents and attorneys may verify their registration information including telephone number at the Office's web site, www.uspto.gov. At the top of the home page, click on Site Index. Then click on Agent & Attorney Roster in the alphabetic list, and search for your registration by your name or number.



DONALD L. CHAMPAGNE
PRIMARY EXAMINER

Donald L. Champagne
Primary Examiner
Art Unit 3622

10 March 2006